## REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-14 are presently active in this case. The present Amendment amends independent Claims 1, 7, and 11, and dependent Claim 14 without introducing any new matter.

In the November 12, 2009 Office Action, Claims 11 and 14 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shibasaki et al. (U.S. Patent Application Publication No. 2004/0167856, hereinafter "Shibasaki") in view of Kinebuchi et al. (U.S. Patent Application Publication No. 2003/0074448, hereinafter "Kinebuchi").

In response, Applicants' independent Claim 1 is amended to recite that a selection input unit selects contents by indicating a time period for retrieving the contents from a broadcast, and sends a retrieval key including the time period to a server. These features find non-limiting support in Applicants' disclosure as originally filed, for example in the specification at page 37, lines 5-15, and in Figure 9, reference numerals 213, 216. Moreover, Applicants' independent Claim 1 is further amended to recite that the receiving unit means receives a plurality of information related to the contents of the broadcast, "based on the retrieval key that was sent to the server." These features find non-limiting support in the specification at page 37, lines 13-21. Independent Claims 7 and 11 are amended analogously, in the context of a method (Claim 7) and a computer readable medium (Claim 11). No new matter has been added.

Moreover, in light of the rejection of Claims 11 and 14 under 35 U.S.C. § 101, independent Claim 11 and dependent Claim 14 are amended to be directed to a "hardware

computer readable medium," so that these claims is unmistakably directed to statutory subject matter.

In response to the rejection of Claim 1 under 35 U.S.C. § 103(a), Applicants respectfully requests reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants' Claim 1 is directed to an information-recording apparatus. The apparatus includes selection input means for selecting contents by indicating a time period for retrieving the contents from a broadcast, and for sending a retrieval key including the time period to a server; receiving means for receiving a plurality of information related to the contents of the broadcast, based on the retrieval key that was sent to the server, temporary storage means for temporarily storing the plurality of information related to the contents, storage means for storing the plurality of information related to the contents, instructing means for instructing that the plurality of information related to the contents temporarily stored in the temporary storage means be recorded in the storage means, recording means for recording at least one the plurality of the information related to the contents stored in the temporary storage means in accordance with instructions from the instructing means as a set of information on contents in the storage means, the set of information on the contents linked to a name of the set; and displaying means for displaying the name of the set.

Turning now to the teachings of the applied references, Shibasaki is directed to a system for acquiring music data from a Compact Disc (CD) onto a memory 31 over a network 4. (Shibasaki, Abstract, Fig. 1.) Shibasaki explains that a CD is put into a CD reproduction unit 11 of an automotive Audio/Video (AV) apparatus 1, and a Table-of-Contents (TOC) of the CD and copyright information are read by the reproduction unit 11. (Shibasaki, ¶ [0070]). CD contents can then be transferred to hard disk HD 12c of the AV

apparatus 1. (Shibasaki, ¶ [0075], Fig. 1.) Moreover, Shibasaki's system allows to access servers over the network 4 by a communication unit 16, to gather trial listening information and distributed music data, based on a content ID. (Shibasaki, ¶ [0084].) However, Shibasaki fails to teach all the features of Applicants' independent Claim 1. In particular, Shibasaki fails to teach a selection input unit for ***selecting contents by indicating a time period for retrieving the contents from a broadcast***, and a receiving unit for receiving information related to the contents of the broadcast, ***based on the retrieval key*** that was sent to the server, as required by Applicants' independent Claim 1. As a fact, the cited passages of Shibasaki are silent on such a feature, because Shibasaki merely uses IDs, for example to receive trial listening information.

The reference Kinebuchi, used by the pending Office Action to form the 35 U.S.C. § 103(a) rejection, fails to remedy the deficiencies of Shibasaki, even if we assume that the combination is proper. Kinebuchi is directed to a system to make a request for transition from a process controlled by HTTP protocol to a special process controlled by a protocol different from the HTTP protocol is made by a URL input via an information terminal 4 to a server 10, for distributing multimedia. (Kinebuchi, Abstract, Fig. 2). Kinebuchi explains that contents can be distributed by channels of the server 10 via a network, and that the contents can be formed into groups of web pages, and that the groups can distinguish between each other on a channel-by-channel basis. (Kinebuchi, ¶ [0066]). Moreover, Kinebuchi is content distribution can be made with group classifications, and can be stored based on content-distribution designation data. (Kinebuchi, ¶ [0097]). Regarding the identification of the content Kinebuchi explains that content can be chosen by presenting a channel selection screen to the user. (Kinebuchi, Fig. 7, ¶ [0227]).

However, the cited passages of Kinebuchi fail to teach a selection input unit for ***selecting contents by indicating a time period for retrieving the contents from a broadcast***, and a receiving unit for receiving information related to the contents of the broadcast, ***based on the retrieval key*** that was sent to the server, as required by Applicants' independent Claim 1. Claims 1-6 are therefore believed to be patentably distinct over Kinebuchi. Accordingly, Applicants respectfully traverse, and request reconsideration of the rejection based on these references.

Independent Claims 7 and 11 recite features that are analogous to the features that were argued above with respect to independent Claim 1, but directed to a method (Claim 7) and a hardware computer readable medium (Claim 11). Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claims 7 and 11, and the rejections of all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 1.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-14 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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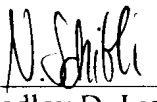

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